

City Council**Motion without Notice**

MM42.13	ACTION			Ward: 37
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Fatal shooting occurring inside the Atlanta party Hall (also know as Atlantic Party Hall Inc.) at 1240 Ellesmere Road - by Councillor Thompson, seconded by Councillor De Baeremaeker

** This Motion has been deemed urgent by the Chair. Council has added this Motion to the agenda for debate.*

Recommendations

Councillor Thompson, seconded by Councillor De Baeremaeker recommends that:

1. City Council request the City Manager, in conjunction with the local Councillor, bring together all pertinent departments (MLS, Fire, Legal, Toronto Police Service) with the Ontario Alcohol and Gaming Commission to establish a joint plan of action to close down the Atlanta Party Hall at 1240 Ellesmere Road.
2. City Council request the Alcohol and Gaming Commission to confirm that this location is included on its “No Issue List,” ensuring that no SOPs are issued or “catering endorsements” permitted during the time that any related Zoning or General Maintenance violations are being processed through the Courts.

Summary

At approximately 3:30 a.m. on Sunday, Nov. 22, 2009, gunfire killed one person and wounded four bystanders at the Atlanta Party Hall (also known as Atlantic Party Hall Inc.) at 1240 Ellesmere Road during a birthday celebration. A reported 200 people were attending the party, a clear violation of the approved occupancy limit of 125. In addition, liquor was sold and consumed during the party, contravening City bylaws and provincial liquor regulations.

The Atlanta Party Hall (also known as Atlantic Party Hall Inc.) , which is located in a multi-use commercial building at 1240 Ellesmere Road, is leased to Mr. Fernando Joseph, who rents the hall as a venue for parties, receptions and religious celebrations. In 2005, Fernando Joseph applied to the City of Toronto for “Public Hall” permission at this location. As zoning does not permit a “Public Hall” at this location, the application was rejected.

Despite the rejection, the Party Hall facility continues to be advertised and rented, requiring event organizers who wish to sell liquor at their functions to acquire Special Occasion Permits (SOP). Since “Public Hall” use is not permitted, the Alcohol and Gaming Commission does not sanction SOPs nor permit the use of “catering endorsements” to cover the serving of alcohol at this location.

Since the operators of the Atlanta Party Hall continue to operate in contravention of both the City of Toronto Zoning By-law and Alcohol and Gaming Commission regulations, the City of Toronto must take action to close down this venue.

(Submitted to City Council on November 30 and December 1, 2009 at MM42.8)